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9 and

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20 Proposed Attorneys for Debtor and Debtor-In-Possession

21 **UNITED STATES BANKRUPTCY COURT**  
 22  
**DISTRICT OF NEVADA**

23 In re:

24 Case No. BK-S-06-10725 LBR

25 USA COMMERCIAL MORTGAGE  
 26 COMPANY,

27 Chapter 11

28  
**DECLARATION IN SUPPORT OF  
 MOTION FOR ORDER SHORTENING  
 TIME TO HEAR MOTION FOR ORDER  
 AUTHORIZING THE RETURN TO  
 INVESTORS OF CERTAIN ESCROWED  
 FUNDS INTENDED FOR THE BUNDY  
 CANYON PROJECT**

29 Date of Hearing: OST PENDING  
 30 Time of Hearing: OST PENDING

31 Debtor.

32  
 33 Jeanette E. McPherson, Esq. of Schwartzer & McPherson Law Firm, attorney for the above  
 34 captioned debtor and debtor in possession (the "Debtor"), under penalties of perjury, hereby  
 35 declares on this 27<sup>th</sup> day of April, 2006 that:

36 1. A Motion For Order Authorizing The Return To Investors Of Certain Escrowed

1 Funds Intended For The Bundy Canyon Project has been filed. This Motion requests that the  
2 Court enter an order authorizing the Title Company to release the \$8.9 million held in the Escrow  
3 Account to USACM, and authorizing USACM to promptly return the \$8.9 million to the 117  
4 Investors and in the amounts as set forth on Exhibit A of the Motion.

5           2.       The Nevada Mortgage Lending Division, a state regulatory body within the Nevada  
6 Department of Business & Industry, has requested that this Motion be heard as soon as possible at  
7 the hearings scheduled for May 3, 2006, so that the funds can be released to investors.

8 3. Notice can be shortened pursuant to Bankruptcy Rule 9006(c)(1) and LR 9006(a).

9       4.     Hearings are currently scheduled in this matter on May 3, 2006 at 9:30 a.m. to hear  
10 other motions, and holding a hearing on the Motion at the same time would serve the interests of  
11 judicial economy.

12 5. No known party opposes hearing the Motion on shortened time.

13 || Respectfully submitted on April 27, 2006.

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and

/s/ Jeanette E. McPherson, Esq.

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